

Remarks

Claims 1-20, 22-39, 41, and 43-46 were pending in the application. Claim 18 is hereby canceled. Therefore, claims 1-17, 19, 20, 22-39, 41, and 43-46 remain pending in the application.

Claims 30-37 stand allowed.

Claims 18, 22, 43, and 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-17, 19, 20, 25-29, 38, 39, 41, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ames et al. in view of United States Patent No. 6,595,698 issued to Gutierrez et al. on July 22, 2003.

Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ames et al. in view of United States Patent No. 6,478,606 issued to McNerney et al. on November 12, 2002.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Rejection Under 35 U.S.C. 103(a)

Claims 1-17, 19, 20, 25-29, 38, 39, 41, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ames et al. in view of United States Patent No. 6,595,698 issued to Gutierrez et al. on July 22, 2003.

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These grounds of rejection are avoided with respect to claims 1-17, 19, 20, 22-39, 41, and 43-44 for the following reason.

The Office Action indicated that claim 18 was allowable should it be rewritten in independent form. This was confirmed in a brief telephone call with the Examiner, just after the Office Action was completed by the Examiner but prior to it reaching applicants' representative. Therefore, applicants have rewritten claim 1 to incorporate the limitation of claim 18, and claim 18 has been canceled. A similar limitation has been added to independent claims 29 and 38. Therefore, it is believed that claim 1, claim 29, and claim 38, as well as all the dependent claims that depend therefrom, are now allowable over the cited references under 35 U.S.C. 103.

Although applicants have amended the aforementioned independent claims to incorporate the allowable limitation and thereby further prosecution, they note that they do not agree with the Office Actions' analysis regarding leaving a fiber out of one of the holes. The connector arrays described in the instant invention are intended to be precision arrays with relatively high densities. Therefore, without applicants' teaching, one of ordinary skill in the art would not leave a fiber out of one of the ferrules, because to do so would be to waste the potential density that could be achieved by inserting a fiber. In other words, the motivation of the art is to achieve ever-greater bandwidths and densities, rather than to waste capacity, which is the result of leaving a fiber out of a hole as recited in applicants' claims. Therefore, to simply leave out a fiber is not obvious.

Regarding claims 45 and 46, the Office Action agrees with applicant that the material taught by Ames is rigid, while applicants' claims recited a non-rigid material. However, the Office Action states that the non-rigid materials taught by applicants are

well known in the art, and that it is within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Applicants respectfully traverse this ground of rejection.

Applicants agree with the Office Action that it is within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In the instant case, since the teaching of Ames is for a rigid material, had applicants merely recited rigid materials other than the epoxy of Ames, the rejection would be justified. That is because the teaching of Ames is to employ a rigid material, i.e., the intended use of the material is to be rigid.

However, use of a non-rigid material is not suggested by Ames, nor any reference that applicants are aware of. Thus, it remained for applicants to teach the advantage of employing use of a non-rigid material where the prior art had taught a rigid material, and the advantage of employing such a non-rigid material. The fact that particular non-rigid materials were known in the art is beside the point. Instead, what is import and not obvious is to use in this particular application non-rigid materials when the prior art only teaches and suggests for this application the use of rigid material.

Therefore, claims 45 and 46 are allowable under 35 U.S.C. 103.

Conclusion

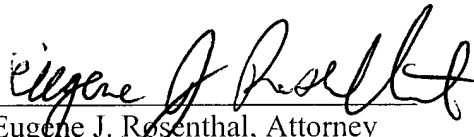
It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, he is invited to call applicant's attorney so that arrangements may be made to discuss and resolve any such issues.

In the event that an extension of time is required for this amendment to be considered timely, and a petition therefor does not otherwise accompany this amendment, any necessary extension of time is hereby petitioned for, and the Commissioner is authorized to charge the appropriate cost of such petition to the **Lucent Technologies Deposit Account No. 12-2325**.

Respectfully,

N. R. Basavanhally
C. A. Bolle
P. R. Kolodner
R. R. Ruel
J. D. Weld

By 
Eugene J. Rosenthal, Attorney
Reg. No. 36,658
732-949-1857

Lucent Technologies Inc.

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